



City of NORFOLK

C: Dir., Department of Utilities

To the Honorable Council
City of Norfolk, Virginia

January 12, 2016

From: Kristen M. Lentz, P.E., Director of Utilities

Subject: Acquisition of Property
located at 107 North Shore Road

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 1/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-12

- I. **Recommendation:** Adopt Ordinance
- II. **Applicant:** City of Norfolk, Department of Utilities
- III. **Description:**
This agenda item is an ordinance to approve the City of Norfolk's ("City's") acquisition of real property owned by Kathryn A. Harris and Edward C. Roche, Jr. and located at 107 North Shore Road, Norfolk, Virginia, for the purpose of constructing a new sanitary sewer pump station ("pump station").
- IV. **Analysis**
The quarter-acre parcel is located near the corner of North Shore Road and Granby Street. The property is adjacent to the city's existing pump station located at 101 North Shore Road. Conveyance will allow the city to replace the existing pump station on the 107 North Shore Road parcel.
- V. **Financial Impact**
The total cost of the property acquisition will be no more than \$195,000.00, including the negotiated sale price of \$178,850.00.
- VI. **Environmental**
There will be no environmental impacts.
- VII. **Community Outreach/Notification**
Public notification for this agenda item was conducted through the city's agenda notification process.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter and ordinance have been coordinated with the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance
- Exhibit Plat
- Legal Description

11/16/15 - wld

Form and Correctness Approved:

By Nathan S. Samaan
Office of the City Attorney

Contents Approved:

By Kurt M. Long
DEPT. Utilities

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 195,000.00 4000-34-034108356-1083-5560-FY06

Anthony
Director of Finance

Account
12/3/15
Date

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE FINDING A PUBLIC NECESSITY FOR THE ACQUISITION IN FEE SIMPLE OF CERTAIN PROPERTY LOCATED AT 107 NORTH SHORE ROAD FOR THE PURPOSE OF CONSTRUCTION OF A NEW WASTEWATER PUMP STATION; APPROVING THE ACQUISITION OF THE PROPERTY BY PURCHASE AGREEMENT OR CONDEMNATION; AND AUTHORIZING THE EXPENDITURE OF A SUM OF UP TO \$195,000.00 FROM FUNDS HERETOFORE APPROPRIATED FOR ACQUISITION OF THE PROPERTY AND ALL RELATED TRANSACTIONAL COSTS.

- - -

WHEREAS, the City of Norfolk ("City") has a wastewater pump station located at 101 North Shore Road and said pump station is no longer sufficient for its purposes; and

WHEREAS, in order for the City to improve and replace the pump station, it will be necessary to purchase the property adjacent to the current pump station, located at 107 North Shore Road, said property being shown on Exhibit A and described in Exhibit B, attached hereto; and

WHEREAS, the City is empowered by the provisions of Virginia Code Sections 15.2-1901, 15.2-1901.1 and 15.2-2109 and by Norfolk City Charter Section 2(5) to acquire private property for public uses; and

WHEREAS, it is the judgment of the Council of the City of Norfolk that the acquisition of the property is necessary to build an appropriate wastewater pump station; and

WHEREAS, available property records indicate that the persons or entities having an ownership or other possessory interest in the property to be acquired by the City are, at the time of the adoption of this ordinance, Kathryn A. Harris and Edward C. Roche, Jr.; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That pursuant to the provisions of Virginia Code Sections 15.2-1901, 15.2-1901.1 and 15.2-2109 and by Norfolk City Charter Section 2(5), the Council finds that the acquisition of the property shown on Exhibit A and described in Exhibit B is necessary for the purpose of constructing a new wastewater pump station.

Section 2:- That the acquisition of the said property upon such terms and conditions as the City Manager shall deem reasonable and in the best interest of the City is hereby authorized and approved.

Section 3:- That the City Manager is authorized to accept an appropriate deed in form satisfactory to the City Attorney, and to do all things necessary and proper for the acquisition of the property.

Section 4:- That the expenditure of the sum of up to \$195,000.00 from funds heretofore appropriated for the acquisition of the property, including all related transactional costs, is hereby authorized and approved.

Section 5:- That in the event the bona fide efforts to acquire the property by means other than condemnation are ineffectual, the City Manager and City Attorney be, and hereby are, authorized and directed to take such action as may be necessary to acquire the property including the institution of condemnation proceedings

and the payment of compensation to the owner of the property to be acquired as well as any other persons having an interest in such property. Based on information in available property records, the name of the owner of the property to be acquired by the City and the total estimated funds necessary to compensate the owner of the property are as follows:

Kathryn A. Harris and Edward C. Roche, Jr. - not less than \$178,500.00.

Section 6:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A TO ORDINANCE

This subdivision of Parcel B-B, Resubdivision of Lot 101, and Lot 102, Map of Pinehurst, Norfolk Virginia, as the same appears on this plat, is with the free consent and in accordance with the desire of the undersigned owners.

City of Norfolk
by William E. Hirt City Manager date: Oct 21, 1979 Grace W. Bowden date: 11/6/79
Grace W. Bowden
City of Norfolk
by [Signature] date: Oct 30, 1979
[Signature] City Clerk

STATE OF VIRGINIA
CITY OF NORFOLK, to wit:

I, Millard G. Smith, a Notary Public in and for the City and State aforesaid, do hereby certify that Julian E. Hirt, City Manager and Louis S. Hurdine, City Clerk whose names are signed to the foregoing writing bearing date on the 20th day of October, 1979, have acknowledged the same before me in my City and State aforesaid.
Given unto my hand this 20th day of October, 1979.
My commission expires: September 12, 1982

[Signature]
Notary Public

STATE OF VIRGINIA
CITY OF NORFOLK, to wit:

I, Millard G. Smith, a Notary Public in and for the City and State aforesaid, do hereby certify that Grace W. Bowden whose name is signed to the foregoing writing, bearing date on the 20th day of October, 1979, have acknowledged the same before me in my City and State aforesaid.
Given unto my hand this 20th day of November, 1979.
My commission expires: September 12, 1982

[Signature]
Notary Public

The undersigned certify that this subdivision, as it appears on this plat, conforms to the applicable regulations relating to the subdivision of land, and is accordingly approved.

By each approval, the undersigned do not certify as to the correctness of the boundary, street, and other lines shown on said plat.

APPROVED: [Signature] date: Nov 5, '79
[Signature] Director of City Planning
City of Norfolk, Va.

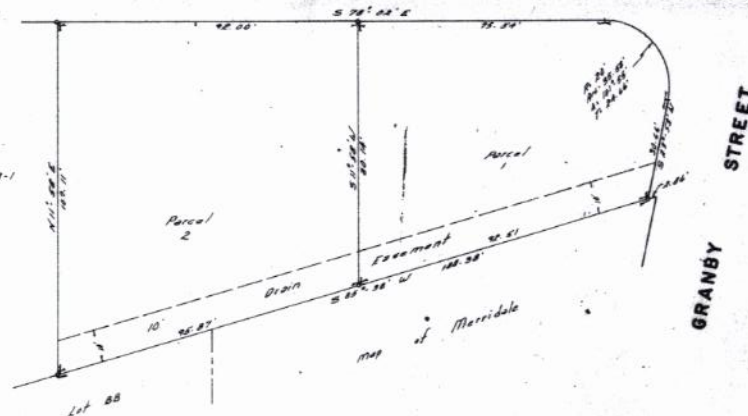
APPROVED: [Signature] date: Nov 5, 1979
[Signature] Director of Planning
City of Norfolk, Va.

APPROVED: [Signature] date: Nov 5, '79
[Signature] Director of Community Improvement
City of Norfolk, Va.

APPROVED: [Signature] date: Nov 6, 1979
[Signature] Director of Public Works
City of Norfolk, Va.

Parcel B-1

NORTH SHORE ROAD



MB.34P.44 NOV.9,1979
SUBDIVISION OF
PARCEL B-B, RESUBDIVISION OF LOT 101
(MB.20, Pg. 21, NORFOLK)
AND E

LOT 102, MAP OF PINEHURST
(MB.5, Pg. 15, NORFOLK)

SCALE: 1"=20' 28 OCTOBER 1979

DIVISION OF SURVEYS
DEPARTMENT OF PUBLIC WORKS
NORFOLK VIRGINIA

CERTIFIED CONTACT PRINT
OF
FINAL TRACING
Preserved immediately following signed approval
required by Land Subdivision Regulations
BUREAU OF SURVEYS
DPT. OF PUBLIC WORKS
Nov. 11/6/79
Per [Signature]

P 95
3097
10 107 20 24

W 101 sh. 2

R 95
3097

EXHIBIT B TO ORDINANCE

107 North Shore Road

Parcel 2 – Subdivision of Parcel B-B, Resubdivision of Lot 101 (M.B. 20, Pg. 21, Norfolk) and Lot 102, Map of Pinehurst (M.B. 5, Pg. 15, Norfolk)

A rectangular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being bounded on the north by North Shore Road and described as follows: Parcel 2 as shown on that certain plat entitled, "Subdivision of Parcel B-B, Resubdivision of Lot 101 (M.B. 20, Pg. 21, Norfolk) and Lot 102, Map of Pinehurst (M.B. 5, Pg. 15, Norfolk)," said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 34 at Page 44.

The above-described parcel contains 0.198 acre, more or less.

November 6, 2015